

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, FEBRUARY 22, 1993  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Council Member Hartley made a presentation proclaiming February 22, 1993 as "San Diego Cares Day". Mayor Golding adjourned the meeting at 6:17 p.m. to meet in Closed Session on Tuesday, February 23, 1993 at 9:00 a.m. in the 12th floor conference room to discuss pending litigation and meet and confer issues.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present  
Clerk-Abdelnour (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL:

Clerk Abdelnour called the roll:  
(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-not present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-not present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council District 8-vacant

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rev. Dale Bringman, St. Peter  
by the Sea Evangelical Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
McCarty.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Complaints by Neville Rich regarding high water deposit  
and concerns that water will be turned off at rental  
property in La Jolla.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A029-062.)

ITEM-PC-2: REFERRED TO SOUTHEAST ECONOMIC DEVELOPMENT  
CORPORATION

Shirley Spivey-Scott discussed problems with being a  
tenant of the Business Innovation Center run by the San  
Diego Incubator Program.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A062-084.)

ITEM-PC-3:

Comments by Don Stillwell on crime and morality.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A084-109.)

ITEM-PC-4:

Art Salzberg requested Council to look into funding for health care costs.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A110-138.)

ITEM-PC-5:

Comments by B. Allan Ross on day 42 of hunger strike in protest for equality due to the City not enforcing lease provisions and supporting child abuse.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: B138-170.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY MANAGER

Council Member Behr directed the City Manager to offer the City's assistance to Ramona with the problems caused by a sewer break, including getting involved with technical assistance or construction. The Manager is directed to return with a brief report that this break is not going to cause pollution into Lake Hodges. If the monitoring shows any problems, the Manager is directed to prepare a report to Council. If Ramona desires interim assistance from the City, the Manager is to bring a report back to Council at its next meeting.

FILE LOCATION: Minutes

COUNCIL ACTION: (Tape location: A170-192.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
01/25/93  
01/26/93

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, February 22, 1993**

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02/01/93  
02/02/93  
02/08/93  
02/09/93

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A201-203.)

MOTION BY ROBERTS TO APPROVE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-31: RECOGNIZED

(Continued from the meeting of February 1, 1993, Item 31, at the City Manager's request, to allow all those who are to be recognized to be present.)

Recognizing the hard work, long hours and diligence displayed by citizens, City employees, and the Navy in coordinating the Mayor's Holiday Shelter.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A406-493.)

ITEM-32: PRESENTED

Presentations to Mike E. Gutierrez, William Pfahler, and Willie V. Davis, who have been designated as the City's Outstanding Drivers for 1991.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A493-560.)

ITEM-33: (R-93-1309) ADOPTED AS RESOLUTION R-281475

Proclaiming February 22, 1993 to be "Oak Park Community Day" in San Diego; commending the Oak Park Community Council for their hard work and persistence in helping to ensure a quality of life for the residents of Oak

Park.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A350-406.)

MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50: (O-93-97) ADOPTED AS ORDINANCE O-17893 (New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by amending Section 101.0463, relating to regulations affecting certain property within Single Family Residential Zones. (Introduced on 2/2/93. Council voted 8-0. District 8 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-51: (O-93-102 Rev.1) ADOPTED AS ORDINANCE O-17894 (New Series)

Amending Chapter VI, Article 3, of the San Diego Municipal Code by adding Division 10, entitled Ecological Reserves, and Section 63.1001, relating to Seal Rock Ecological Reserve.

(La Jolla Community Area. District-1. Introduced on 2/1/93. Council voted 8-0. District 8 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B074-088.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND

ADOPT. Second by Stevens. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

\* ITEM-52: (O-93-96 Cor. Copy) ADOPTED AS ORDINANCE O-17895  
(New Series)

Rezoning approximately 60.0 acres located east of  
Interstate 5 and approximately one quarter mile south  
of Carmel Valley Road on El Camino Real, into the CO  
Zone.

(Rezone-85-0824. Sorrento Hills Community Area.  
District-1. Introduced on 2/9/93. Council voted 7-0.  
District 7 not present. District 8 vacant.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING  
AND ADOPT. Second by Hartley. Passed by the following  
vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-100: (R-93-854) ADOPTED AS RESOLUTION R-281476

Awarding a contract to Reliable Pipe Supply Co. Inc.,  
for furnishing copper and brass pipe and fittings, as  
may be required for a period of six months beginning  
February 1, 1993 through July 31, 1993, for an  
estimated total cost of \$53,371, including tax and  
terms, with an option to renew the contract for three  
additional six month periods, with price increases not  
to exceed 10 percent of prices in effect at the end of  
each prior contract period.

(BID-H3574/93)

FILE LOCATION: CONT - Purchase - Reliable Pipe Supply  
Co., Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101: (R-93-855) ADOPTED AS RESOLUTION R-281477

Awarding a contract to O.M. Scott & Sons Co., for  
providing turf fertilizer, as may be required for a  
period of one year beginning February 1, 1993 through  
January 31, 1994, for an estimated cost of \$48,487,  
including tax, with an option to renew the contract  
for four additional one year periods, with option  
period price increases not to exceed the prices in  
effect for the previous contract period by more than 6  
percent.  
(BID-P3561/93)

FILE LOCATION: CONT - Purchase - O.M. Scott & Sons Co.  
CONTFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102: (R-93-857) ADOPTED AS RESOLUTION R-281478

Awarding a contract to Reliable Waste Inc. for  
harvesting of water hyacinths, as may be required for a  
period of one year beginning March 1, 1993 through  
February 28, 1994, for a total cost of \$44,000, with  
options to renew the contract for one additional one  
year period, with a price escalation not to exceed 5  
percent of the prices in effect at the end of the prior  
year. (BID-B3569/93)

FILE LOCATION: CONT - Purchase - Reliable Waste, Inc.  
CONTFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not

present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103: (R-93-852) ADOPTED AS RESOLUTION R-281479

Awarding a contract to John C. Henberger Co., Inc. for the purchase of emergency pre-emption equipment, as may be required for a period of one year beginning February 1, 1993 through January 31, 1994, for a total cost of \$153,297, including tax, with an option to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 5 percent. (BID-B3548/93)

FILE LOCATION: CONT - Purchase - John C. Henberger  
Co., Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104: (R-93-849) ADOPTED AS RESOLUTION R-281480

Awarding a contract to Pressley Peterbuilt for the purchase of two 5 cubic yard dump trucks (GMC Model C7H042 with Crysteel Body) for a total cost of \$83,721.75, including tax; authorizing the expenditure of not to exceed \$83,721.75 from Department No. 8201, Fund No. 50031, Object Account No. 6013, and Job Order No. 88092 for providing funds for said project and related costs; authorizing the Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3504/93)  
Aud. Cert. 9300715.

FILE LOCATION: CONT - Purchase - Pressley Peterbuilt  
CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)



CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105: (R-93-1103) ADOPTED AS RESOLUTION R-281481

Inviting bids for the Construction of Palisades  
Building Roof Repairs on Work Order No. 119269;  
authorizing the execution of a contract with the lowest  
responsible bidder; authorizing the City Auditor and  
Comptroller to transfer \$167,150 from CIP-21-834.0,  
Balboa Park/Mission Bay Park Requirements, San Diego  
Facilities and Equipment Leasing Construction Fund No.  
91101, to CIP-21-830.0, Balboa Park Palisades Building  
Rehabilitation;

authorizing the expenditure of \$167,150 from  
CIP-21-830.0, Balboa Park Palisades Building  
Rehabilitation, Fund No. 91101, for the purpose of  
executing this contract and related costs;

authorizing the City Auditor and Comptroller, upon  
advice from the administering department, to transfer  
excess budgeted funds, if any, to the appropriate  
reserves.

(BID-K3614/93)

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Palisades Building is  
located at 2130 Pan American Plaza in Balboa Park. This building  
was built in 1935 and contains the offices of the Park  
Development Division of the Park and Recreation Department, the  
Recital Hall and the Marie Hitchcock Puppet Theater. The  
existing roof material is severely deteriorated. This project  
will remove the existing roof and construct a new one.  
Aud. Cert. 9300692.

FILE LOCATION: W.O. 119269 CONT - Baldan Construction  
CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

Two actions relative to the Improvement of San Ysidro Boulevard - Smythe Avenue to Border Village Road (Phase 1A) - Parking Lot West of Willow Road:  
(San Ysidro Community Area. District-8.)

Subitem-A: (R-93-1104) ADOPTED AS RESOLUTION R-281482

Inviting bids for the Improvement of San Ysidro Boulevard - Smythe Avenue to Border Village Road (Phase 1A) - Parking Lot West of Willow Road on Work Order No. 112157; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the expenditure of an amount not to exceed \$270,000 from CDBG Fund 18528, Dept. 4022, Org. 2207, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess funds, if any, for future phases.  
(BID-K3627/93)

Subitem-B: (R-93-1105) ADOPTED AS RESOLUTION R-281483

Certifying that the information contained in Negative Declaration DEP-88-1242, dated July 20, 1989, in connection with the Improvement of San Ysidro Boulevard - Smythe Avenue to Border Village Road (Phase 1A) - Parking Lot West of Willow Road, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and the National Environmental Policy Act (NEPA), and that the report reflects the independent judgement of the City of San Diego as Lead Agency, and that the Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On February 11, 1985, the City Council approved the amended urban design plan for San Ysidro Boulevard between Via de San Ysidro and I-805 which identifies the improvement in phases. Phase I acquired right-of-way and widened San Ysidro Boulevard from Via de San Ysidro to I-805, including decorative sidewalk and landscaping, which was completed in May, 1989. The current project, Phase IA, will replace off-street parking that was eliminated in Phase I. The parking lot is located on the south side of San Ysidro Boulevard, west of Willow Road, in the remaining right-of-way in Phase I. This project will provide a 28-space parking lot by constructing

a 4-foot to 15-foot high retaining wall at the right-of-way line, filling in the area in front of the wall to street level, providing drainage facilities, paving the area, and landscaping the perimeter.

Aud. Cert. 9300677.

FILE LOCATION: W.O. 112157 CONT - CASTELLO, INC.  
CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

Three actions relative to the final subdivision map of Glencoe Heights, an 18-lot subdivision located westerly of Jamacha Road and Cardiff Street:  
(Skyline Community Area. District-4.)

Subitem-A: (R-93-1192) ADOPTED AS RESOLUTION R-281484

Authorizing the execution of a Subdivision Improvement Agreement (Deferred Improvement Development) with Naimco-Clairemont, Inc., for the installation and completion of public improvements.

Subitem-B: (R-93-1191) ADOPTED AS RESOLUTION R-281485

Approving the final map.

Subitem-C: (R-93-1193) ADOPTED AS RESOLUTION R-281486

Authorizing the execution of a Joint Use Agreement with the City of Lemon Grove for the construction and maintenance of a water pipe along Glencoe Drive.

CITY MANAGER SUPPORTING INFORMATION: On May 9, 1989 the City Council of the City of San Diego approved City Council Conditions for Tentative Map TM-88-0460, Glencoe Heights. The City is entering into a Subdivision Improvement Agreement (Deferred Improvement Development) with the Developer. The original developer went bankrupt, and the properties of the second developer, Naimco-Clairemont, Inc.,

have been taken over by Pioneer Liquidating Corporation, as successor in interest to Naimco-Clairemont, Inc. Pioneer is not in a position to obtain bonding, and desires to sell the property to a qualified buyer. The deferred agreement (lien agreement) will give them time to work out the reorganization and sell the property. Condition No. 7(a) of City Council Conditions for Tentative Map TM-88-0460 requires the developer to extend the existing eight-inch AC water main in Glencoe Drive to the northern subdivision boundary. This will require that a portion of the pipe be built in the City of Lemon Grove.

The Joint Use Agreement will allow both cities to have mutual use of the water line and mutual access to the right-of-way in perpetuity.

FILE LOCATION: SUBD - Glencoe Heights CONFY93-2

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-108:

Two actions relative to Street Dedication-Black Mountain Road:

(Located on the east side of Black Mountain Road, north of Carroll Centre Road. Mira Mesa Community Area. District-5.)

Subitem-A: (R-93-1228) ADOPTED AS RESOLUTION R-281487

Approving the acceptance by the City Manager of a grant deed of Atlantic Richfield Company, a Delaware Corporation, granting to the City an easement for public street purposes in a portion of Lot 6 of Carroll Canyon Centre, Map-10179; dedicating said land as and for a public street and naming the same Black Mountain Road.

Subitem-B: (R-93-1233) ADOPTED AS RESOLUTION R-281488

Certifying that Negative Declaration DEP-91-0486, has been completed in compliance with the California

Environmental Quality Act of 1970, as amended, and State guidelines; that the Declaration reflects the independent judgement of the City of San Diego as Lead Agency; and that the information in the Declaration, together with any comments received during the public review process, has been reviewed and considered by the Council.

FILE LOCATION: DEED F-5975 DEEDFY93-1

COUNCIL ACTION: (Tape location: B088-120.)

MOTION BY BEHR TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109: (R-93-1175) ADOPTED AS RESOLUTION R-281489

Approving the acceptance by the City Manager of a grant deed of San Diego Trust & Savings Bank, granting to the City an easement for public street purposes in a portion of Lot 1, Block 3 of Eastgate, Map-1460; dedicating said land as and for a public street and naming the same Chamoune Avenue.

(Mid-City Community Area. District-3.)

FILE LOCATION: DEED F-5976 DEEDFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110: (R-93-1176) ADOPTED AS RESOLUTION R-281490

Approving the acceptance by the City Manager of a grant deed of San Diego Housing Commission, a non-profit organization, granting to the City an easement for public street purposes, in those portions of Saranac Street (formerly Vista Street) and 73rd Street (formerly Isabella Street) as closed, being a portion of Lot 10, and all of Lots 11 and 12, in Block 16 of La

Mesa Colony Townsite, Map-346; dedicating said land as and for public streets, and naming the same Saranac Street and 73rd Street.

(Mid-City Community Area. District-7.)

FILE LOCATION: DEED F-5977 DEEDFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-111: (R-93-1297) TRAILED TO FEBRUARY 23, 1993

Authorizing the City Manager to accept a grant deed of Rancho Del Vista, Ltd., conveying to the City 240 acres of vacant land in Boden Canyon as off-site mitigation for loss of sensitive habitat at the Miramar Landfill facility; authorizing the transfer of \$1.5 million from CIP-37-250.0, Landfill Closure and Environmental Projects (Waste Management CIP Fund 41201), to CIP-37-056.0, West Miramar Refuse Disposal Facility Phase II; authorizing the expenditure of an amount not to exceed \$1.5 million from CIP-37-056.0, West Miramar Refuse Disposal Facility Phase II (Waste Management CIP Fund 41201), for the acquisition of real property and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

(Miramar Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action provides for the acquisition of 240 acres of sensitive habitat lands in Boden Canyon east of San Pasqual Valley as off-site mitigation for the City's West Miramar Refuse Disposal Facility Phase II, CIP-37-056.0. The parcel being acquired is within the boundaries of the proposed San Dieguito River Valley Park Plan area. It also fulfills a portion of the required mitigation for the Phase II area of the Miramar Landfill Master Plan for Development, which was approved by the City Council last summer. The City had the property appraised by an independent fee appraiser who determined that the offered price of \$1.4 million represents a

reasonable fair market value for the parcel. The property is involved in a bankruptcy proceeding and it is imperative that the City indicates its interest in purchasing the property by the court set deadline of March 1, 1993. The sale of the property would also be subject to court approval.

Aud. Cert. 9300749.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B120-533.)

Motion by Wolfsheimer to adopt. Second by Hartley. No vote. MOTION BY BEHR TO APPROVE A SUBSTITUTE MOTION TO TRAIL THIS ITEM TO TUESDAY, FEBRUARY 23, 1993 UNTIL AFTER COUNCIL'S DISCUSSION ON EAST ELLIOTT. IN THE MEANTIME THE CITY MANAGER IS DIRECTED TO PROVIDE AN ASSESSMENT OF WHAT THE FISH & WILDLIFE LETTER MEANS REGARDING THE STATEMENT THAT ACQUISITION COMPRISES SUBSTANTIAL CONTRIBUTION TOWARDS FULFILLMENT OF MITIGATION GOALS AND THE OBVIOUS OBLIGATIONS OF THAT BECAUSE THE STATEMENT IS OPEN-ENDED. EXPLAIN THE PLAN FOR THE REMAINDER OF THE MITIGATION THAT FISH & WILDLIFE IS GOING TO BE COMING BACK TO THE CITY WITH. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-nay.

ITEM-112: (R-93-1212) ADOPTED AS RESOLUTION R-281491

Authorizing the sale by negotiation of City-owned land, described as a portion of the Northwest Quarter of the Southwest Quarter of Section 29, and the Northeast Quarter of the Southeast Quarter of Section 30, in Township 14 South, Range 2 West, San Bernardino Meridian, for the amount of \$2,500 to Pardee Construction Company; authorizing the execution of a grant deed, granting to Pardee Construction Company the property; declaring that no broker's commission shall be paid by the City on the negotiated sale. (Located at the northeast corner of Westview Parkway and Capricorn Way. Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On April 27, 1992, Council authorized the City Manager to enter into exclusive sale negotiations with Pardee Construction Company, the

adjacent property owner. The lot is 1,045 square feet of dedicated street and was deeded to the City in 1975 by the State. It is located on the northeast corner of Westview Parkway and Capricorn Way and is no longer needed for street purposes. Pardee will maintain and landscape the property in conformance with the adjacent residential development, Casa Mira View. Pardee may also install a monument sign depicting the name of the development. The sale is contingent upon a completed street vacation, and recordation of a lot consolidation parcel map, to be completed at Pardee's expense. The property was appraised at \$2,500 by a City-approved appraiser as of November 20, 1992.

FILE LOCATION: DEED F-5979 DEEDFY93-1

COUNCIL ACTION: (Tape location: E255-274.)

MOTION BY BEHR TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113: (R-93-1293) ADOPTED AS RESOLUTION R-281492

Acknowledging the generous offer of a charitable donation of the HBJ Building, located at 1250 Sixth Avenue, by General Cinema/Harcourt Brace Jovanovich (HBJ);

Authorizing the City Manager to execute an agreement with Harcourt Brace Real Properties Corporation;

Modifying the FY 1993 Capital Improvements Budget by adding CIP-39-001.0 - Harcourt Brace Jovanovich Building Project;

Transferring not to exceed \$125,000 from Capital Outlay Other Fund No. 302453 to CIP-39-001.0 - Harcourt Brace Jovanovich Building Project;

Authorizing the expenditure of not to exceed \$125,000 from Capital Outlay Other Fund No. 302453, CIP-39-001.0 - Harcourt Brace Jovanovich Building Project, for the purpose of the preparation of a condition assessment of the HBJ Building;

Waiving Council Policy 300-7, with respect to solicitation of proposals for professional services,



and in lieu thereof,

authorizing the City Manager to solicit proposals informally and to enter into agreements for professional services, in an amount not to exceed \$125,000, for the preparation of a condition assessment of the HBJ Building;

Authorizing the City Manager to enter into an agreement with Luth and Turley in an amount not to exceed \$25,000, which is included in the above \$125,000, for professional services relating to a condition assessment, under terms and conditions satisfactory to the City Manager and the City Attorney;

Authorizing the City Manager to accept the deed to the HBJ Building if the City Manager determines that the condition assessment is favorable and acceptance of the deed is in the best interests of the City.

(See City Manager Report CMR-93-41.)  
Aud. Cert. 9300738.

FILE LOCATION: DEED F-5980 CONTFY93-2; DEEDFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-114: NOTED AND FILED

A joint report from the City Manager and the San Diego Convention Center Corporation's Executive Vice President/General Manager concerning the consolidation of the San Diego Concourse with the San Diego Convention Center.

(See City Manager Report CMR-93-42.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E274-278.)

MOTION BY BEHR TO NOTE AND FILE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-115: (R-93-1240) ADOPTED AS RESOLUTION R-281494

Approving a new procedure for the annual allocation of  
Transient Occupancy Tax funds for Civic Events and  
Promotional Programs to be implemented as follows:

For the Fiscal Year 1994 process, direct the City  
Manager to appoint a nine-member temporary board, with  
membership nominated by City Council and Mayor, to be  
advisory to the City Council. A review of the temporary  
board structure and program to be made within a year's  
time, prior to establishing a permanent board.  
(See City Manager Report CMR-93-30.)

COMMITTEE ACTION: Reviewed by PS&S on 2/3/93.

Recommendation to approve the establishment of a temporary  
9-member committee to review TOT funding programs and  
develop guidelines. The committee will be established by  
the City Manager from membership nominations by each Council  
Office and the Mayor. A review of the committee structure  
and program to be made in a year's time prior to  
establishing a permanent board. Districts 1, 3, and 4 voted  
yea. Districts 2 and 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E278-F054.)

Motion by Behr to increase the board to 11 members comprised  
of representatives of the tourism, hotel/motel industry and  
professionals with an interest in this field. No vote.

MOTION BY ROBERTS TO APPROVE A SUBSTITUTE MOTION TO ADOPT  
WITH DIRECTION TO THE CITY MANAGER THAT THIS TEMPORARY  
ADVISORY BOARD SHALL NOT DEAL WITH THE ENTIRE SUBJECT OF TOT  
FUNDS, BUT ONLY WITH THE PROMOTIONAL BUDGET (CIVIC EVENTS  
AND PROMOTIONAL PROGRAMS) AFTER THE COUNCIL DECIDES WHAT  
THERE IS GOING TO BE IN RESPECT TO THE NUMBER OF DOLLARS THE  
BOARD WILL BE ALLOCATED. COUNCIL WILL SET, DURING THE  
BUDGET PROCESS, WHAT AMOUNTS OF MONEY THIS BOARD WILL MAKE  
RECOMMENDATIONS ON. THE BOARD IS DIRECTED TO ESTABLISH SOME  
GUIDELINES FOR THE ALLOCATIONS THAT ARE FAIR AMONG ITS  
MEMBERS. Second by Wolfsheimer. Passed by the following  
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Stevens-nay, Behr-yea, Stallings-yea, McCarty-nay,

Vargas-yea, Mayor Golding-yea.

ITEM-116: (R-93-1312 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-281495

Authorizing the City Auditor to transfer \$5,000 from Fund 10223, Dept. 915, Org. 5019, Account 4222, to the Greater San Diego Chamber of Commerce for the purpose of allowing the Chamber to hire a consultant to help retain San Diego's military bases.

SUPPORTING INFORMATION: The Greater San Diego Chamber of Commerce is coordinating a regional approach to the Military Base Closure issues. Key to this effort is the hiring of a consultant for these efforts who will prepare the detailed presentation for the Base Closure Commission. The Chamber has requested, and been granted, \$10,000 from the Port District for this purpose, but only if this amount is matched by the City and County. The Chamber has requested that the City and the County provide \$5,000 each to match the Port. The City has been asked to act quickly so that the retention effort can be effusive with the Closure Commission. Preserving the Navy's presence in San Diego is critical to the economic strength of our City and County. I support the Chamber's request and urge your support for meeting the Port District's challenge.  
Aud. Cert. 9300750.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B533-C150.)

MOTION BY BEHR TO ADOPT AS AMENDED TO INCLUDE SUPPORT TO THE CHAMBER OF COMMERCE IN PUTTING PRESSURE ON OUR CONGRESSIONAL DELEGATION TO TAKE THE LEAD ON THIS. THE CONSULTANT IS DIRECTED TO STIMULATE THE EFFORTS OF SOME OF THE DONORS THAT MIGHT BE OUT THERE TO REQUIRE THAT THERE BE MATCHING FUNDS FROM THE PRIVATE SECTOR AS WELL AS USING ALL AVAILABLE RESOURCES IN THE COMMUNITY. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117: (R-93-1285) ADOPTED AS RESOLUTION R-281496

Authorizing the North Park Community Association to use the \$1,700 of TOT funding allocated by the Fiscal Year

1993 Annual Appropriation Ordinance for the North Park  
Toyland Parade.  
(District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118: (R-93-1230) ADOPTED AS RESOLUTION R-281497

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$8,700 from PSD Fund  
11510 and \$11,300 from CIP-58-007.0, Annual Allocation  
- Overhead/Other City Costs for Grant Projects, Capital  
Outlay Fund 30245, both to CIP-29-695.0, Pacific Beach  
Middle School Turfing; and an amount not to exceed  
\$8,100 from PSD Fund 11590 to CIP-29-612.0, Trolley  
Barn Park Development; and an amount not to exceed \$150  
from CIP-58-007.0, Annual Allocation - Overhead/Other  
City Costs for Grant Projects, Capital Outlay Fund  
30245, to CIP-21-832.0, Balboa Park Municipal  
Gymnasium Floor; authorizing the expenditure of an  
amount not to exceed \$28,250, consisting of \$20,000  
from CIP-29-695.0, Pacific Beach Middle School Turfing;  
\$8,100 from CIP-29-612.0, Trolley Barn Park  
Development, PSD Fund 11590; and \$150 from  
CIP-21-832.0, Balboa Park Municipal Gymnasium Floor,  
Capital Outlay Fund 30245, for the purpose of paying  
each project's City overhead expenses not billable to  
grant funded projects because of grant restrictions.  
(Pacific Beach, Uptown and Balboa Park Community Areas.  
Districts-2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed funding  
transfers and expenditures are required to pay for City overhead  
costs that are not eligible for reimbursement from grant funds.  
All other nongrant funds have been expended. The three projects  
are:

CIP-29-695.0, Pacific Beach Middle School Turfing  
CIP-29-612.0, Trolley Barn Park Development  
CIP-21-832.0, Balboa Park Municipal Gymnasium Floor  
Aud. Cert. 9300605.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119: (R-93-1072) ADOPTED AS RESOLUTION R-281498

Approving the addition of CIP-22-918.0, Mission Bay Northern Wildlife Preserve-Expansion, to the FY93 Capital Improvements Program;

Authorizing the transfer of not to exceed \$1,610,000 from Fiesta Island Sludge Mitigation Fund 10507, consisting of \$250,000 from CIP-22-088.0, Ski Beach Restroom, \$250,000 from CIP-22-075.0, New Mission Bay Restrooms, Phase I, \$450,000 from FY93 Fiesta Island Sludge Mitigation Fund balance, and \$660,000 from CIP-22-086.0, Fiesta Island Improvement Reserve; to CIP-22-918.0, Mission Bay Northern Wildlife Preserve-Expansion;

Authorizing the expenditure of not to exceed \$1,610,000 from CIP-22-918.0, Mission Bay Northern Wildlife Preserve-Expansion, for the acquisition of land and related costs, subject to approval by the California Coastal Commission;

Authorizing the City Manager to accept a quitclaim deed from AFJR Partnership, and G.T.F. Properties, conveying to the City a vacant 2.66-acre parcel of land, being a portion of Acre Lot 74 of Pacific Beach, Map-854; said action follows the intent of Council Resolution R-280892, adopted on October 19, 1992, approving the City Manager's recommendation for fund allocation of Sludge Mitigation Fund expenditure allocations for Fiscal Year 1993, subject to approval by the California Coastal Commission.  
(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action, which is subject to approval by the California Coastal Commission, authorizes the "opportunity acquisition" of a vacant 2.66-acre parcel adjacent to the existing Kendall/Frost Reserve. The parcel would be used for the expansion of the City's Mission Bay

Park Northern Wildlife Preserve. This is one of the last few opportunities to expand the northern preserve and increase the size of the sensitive salt marsh habitat.

The property, which is owned by the Frost family, lies south of Pacific Beach Drive and is logical for inclusion within the park boundaries. A portion of the funds being used to acquire the parcel are from the Fiesta Island Improvement Reserve, CIP-22-086.0, and are proposed to be reimbursed from FY94 Fiesta Island Sludge Mitigation Funds.  
Aud. Cert. 9300622.

FILE LOCATION: DEED F-5981 DEEDFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-120: (R-93-1266) ADOPTED AS RESOLUTION R-281499

Approving the transfer of \$100,000 from FBA Fund 79001 to CIP-53-044.0, FY 1993, to hire a consultant to prepare environmental documents for the Regents Road Bridge project.

(See City Manager Report CMR-93-39. North University City Community Area. District-1.)

Aud. Cert. 9300458.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F054-199.)

MOTION BY WOLFSHEIMER TO APPROVE, AND WHEN THE EIR IS COMPLETE, SCHEDULE A PUBLIC HEARING. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121: (R-93-1231) ADOPTED AS RESOLUTION R-281500

Authorizing the payment of principal and premium on

lost registered bond for the City of San Diego 1915 Act Limited Obligation Bond, Certificate Number H044, First San Diego River Improvement Project District No. 4007, Bond Series 3657, Fair Value \$5,000, called 9/2/92.

CITY MANAGER SUPPORTING INFORMATION: The City Treasurer has been notified that registered bond for First San Diego River Improvement Project Assessment District No. 4007, Bond Series 3657, Bond Number H044, in the amount of \$5,000, called for early maturity on 9/2/92, was never received by the registered bondholder when purchased from the brokerage firm and that the bond cannot be presented for payment as required. In order to make payment for the lost bond and call premium, the City Council must authorize such payment. A Bond of Indemnity for Lost Instrument for twice the face value of the bond and premium has been received, indemnifying the City against possible loss due to such action. A notarized letter of loss signed by the bondholder has also been received.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122: (R-93-1264) ADOPTED AS RESOLUTION R-281501

A Resolution approved by the City Council in Closed Session on Tuesday, February 2, 1993, by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-not present; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Mayor Golding-yea; District 8-vacant.

Authorizing the City Manager to pay the total sum of \$30,500 in the settlement of each and every claim against the City, its agents and employees, resulting from personal injuries to the plaintiffs (Superior Court Case No. 647873, Dominico Lantona et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$30,500 made payable to Dominico, Vittoria, Alberto and Cathy Lantona and their attorney, Michael Marrinan, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the

complete and final settlement of the personal injury claim of Albert Lantona, et al., against the City of San Diego as a result of an incident which occurred on January 31, 1991.  
Aud. Cert. 9300709.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123: (R-93-1267) ADOPTED AS RESOLUTION R-281502

A Resolution approved by the City Council in Closed Session on Tuesday, February 2, 1993 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-not present; Stevens-not present; Behr-yea; Stallings-yea; McCarty-yea; District 8-vacant; Mayor Golding-yea.

Authorizing the City Manager to pay the total sum of \$42,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the wrongful death action of Lee Thao, individually and guardian ad litem for Chee, Xia, Vang, and Beau Thao and for their claims for personal injuries, (Superior Court Case No. 645426, Lee Thao, et al, v. Joann Roubinek, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$42,500, made payable to the Clerk of Superior Court, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claims of Lee Thao, individually, and guardian ad litem for Chee Xia, and Beau Thao against the City of San Diego as a result of the incident of December 3, 1990.  
Aud. Cert. 9300712.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,



McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

Four actions relative to authorizing Suggestion Awards  
to the following City employees:

Subitem-A: (R-93-1155) ADOPTED AS RESOLUTION R-281503

Margaret A. McLaughlin - Treasurer/Administration -  
\$117.

Subitem-B: (R-93-1156) ADOPTED AS RESOLUTION R-281504

William R. Trevino - Fire/B - \$140.

Subitem-C: (R-93-1157) ADOPTED AS RESOLUTION R-281505

Shaun P. Donelson - Police/In-Service Training- \$160.

Subitem-D: (R-93-1158) ADOPTED AS RESOLUTION R-281506

Gerald W. Williams - Water Utilities/Metro - \$303.63.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not  
present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-125: (R-93-1269 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-281507

Authorizing the execution of an agreement with Michael  
Brandman Associates, for the preparation of a  
project-level Environmental Impact Report regarding the  
Fiesta Island Replacement Project and the Northern  
Sludge Processing Facility; authorizing the  
expenditure of an amount not to exceed \$249,578 from  
the Clean Water Program Fund 41509, CIP-46-055.0,  
Fiesta Island Replacement Project and CIP-42-910.0,  
Northern Sludge Processing Facility, for this  
agreement, to be expended in the following manner:

Phase 1 - \$76,000 from CIP-46-055.0, Fiesta Island Replacement Project, and \$74,000 from CIP-42-910.0, Northern Sludge Processing Facility, Fiscal Year 1993 appropriations.

Phase 2 - \$49,789 from CIP-46-055.0, Fiesta Island Replacement Project, and \$49,789 from CIP-42-910.0, Northern Sludge Processing Facility, Fiscal Year 1994 appropriations, contingent upon approval of the FY 1994 CIP budget.

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(University City Community Area. Districts-2 and 5.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego, as Lead Agency, has prepared and completed two initial environmental Impact Reports (EIR) for this project: DEP-90-0393, dated November 27, 1990 and DEP-91-0155, dated July 15, 1992. Council has directed the Clean Water Program to further pursue siting these facilities at NAS Miramar.

A General Development Plan (GDP) for the combined Waste Management Department/Clean Water Program facilities on NAS Miramar is currently in preparation which includes the FIRP/NSPF facilities. A programmatic Joint EIR/EIS for the GDP is also currently in preparation. On December 8, 1992, City Council approved a request for design services for the Fiesta Island Replacement Project/Northern Sludge Processing Facilities on NAS Miramar. The Planning Department's Development and Environmental Planning Division has conducted an Initial Study of this proposed project and has determined that the proposed project has the potential for environmental impacts. As a result, the Clean Water Program must prepare an EIR as required in compliance with CEQA. This EIR will analyze site-specific environmental impacts from the proposed project. Potential impact issues include: archaeology, paleontology, air quality, noise, human health/public safety, land use, odor, geotechnical and soils, transportation, water conservation, public facilities, and biology. Cumulative impacts, growth inducement, and alternatives will also be addressed. A Mitigation Monitoring and Reporting Program will also be prepared. Future certification of this EIR will be required prior to approving construction funds. The MBE/WBE goals for this project are 12 percent MBE and 3 percent WBE. MBE and WBE participation under this agreement as presently proposed represents 14 percent MBE and 4 WBE.  
Aud. Cert. 9300725.  
WU-CWP-93-085.

COUNCIL ACTION: (Tape location: F208-268.)

MOTION BY STEVENS TO ADOPT AS AMENDED APPROVING ONLY PHASE 1 UNTIL THE CONTRACTOR PROVIDES SATISFACTORY EVIDENCE ON MEETING THE MBE/WBE HIRING GOALS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126: (R-93-1232) ADOPTED AS RESOLUTION R-281508

Authorizing the execution of an agreement with BRW, Inc., to provide "As-Needed" Traffic Signal and Street Light Design Services; authorizing the expenditure of an amount not to exceed \$50,000 from CIP-68-011.0, Fund 30300 Annual Allocation - Modernization Top 10-15 Prioritized Traffic Signals, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: This agreement will provide the City with professional engineering design services to develop plans, specifications, and estimates for unscheduled high priority, public safety projects. The main focus of this agreement will be the modernization of existing traffic signals at 24 sites located throughout the City. Consultants were interviewed on September 23, 1992, in conformance with Council Policy 300-7. The firm of BRW, Inc., was recommended for selection because of their demonstrated expertise in signal modification projects. The WBE/MBE participation will be 3 percent and 14 percent respectively.  
Aud. Cert. 9300698.

FILE LOCATION: MEET CCONTFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-127: (R-93-1263) ADOPTED AS RESOLUTION R-281509

Authorizing the execution of an agreement with HYA Consulting Engineers, for as-needed civil engineering services for the Water Utilities Department - Metro

Division; authorizing the expenditure of an amount not to exceed \$50,000 from Sewer Revenue Fund 41508, for providing funds for the above purpose.  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement with HYA Consulting Engineers, will provide as-needed civil engineering services for the Point Loma Wastewater Treatment Plant. Services may include, but not be limited to: thorough engineering testing, field investigations and evaluation of existing structures and equipment; the preparation of design reports, recommending alternatives and providing plans, specifications and cost estimates for new facilities as well as for the restoration and modification of existing facilities and equipment; and assisting plant staff in maintaining and verifying accurate sewer flow metering. The proposed consultant was selected in conformance with Council Policy 300-7. The Design Consultant Nominating Committee certified five firms from the Junior Civil Engineering (Water/Sewer) "As-Needed" list which was short-listed at the September 29, 30, October 1, and October 6 of 1992, Consultant Nominating Committee meeting. The five firms were interviewed by the Water Utilities department and HYA Consulting Engineers, was recommended to, and approved by the City Manager.  
Aud. Cert. 9300716.  
WU-U-93-069.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-128: (R-93-1227) ADOPTED AS RESOLUTION R-281510

Authorizing the execution of a one-year lease agreement with four one-year extensions, with Leota Shaw, for use by the Police Department of 750 square feet of office space at 5025 Newport Avenue for a Community Relations Office, at an initial rent of \$4,800 per year; authorizing the expenditure of an amount not to exceed \$2,400 from Fund 100, Department 110, Organization 485, Account 4682, Job Order 111482, to cover lease costs for the period of January 1, 1993, through June 30, 1993.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Since 1969, the Police Department has operated a Community Relations Office at 5025 Newport Avenue. The existing agreement is scheduled to terminate December 31, 1992. The Police Department has requested a renewal of the agreement to continue to provide the Ocean Beach Community with a Community Relations Office operation. A summary of the agreement is as follows:

Location: 5025 Newport Avenue  
Commencement Date: January 1, 1993  
Term: One-year, with four one-year extensions  
Rent: \$400 per month (.53 per square foot), plus  
utilities, subject to a \$25 per month rent adjustment  
for each option period.

The rent is below market rates in the area.

Size: 750 square feet

Aud. Cert. 9300699.

FILE LOCATION: LEAS - Leota Shaw LEASFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: (R-93-1048 Rev.) ADOPTED AS RESOLUTION R-281511

Consideration of the following nominees for appointment to the San Diego Unified Port District Board of Commissioners to fill three vacancies:

Nominee	Nominated by:
Cliff Graves (Reappointment)	Councilmembers Ron Roberts, John Hartley & Abbe Wolfsheimer
Mike McDade	Councilmember Ron Roberts
Susan Lew	Councilmember Judy McCarty
Joe Francis	Councilmembers John Hartley & Abbe Wolfsheimer
William R. St. George (See memorandum from Mayor Golding dated 1/28/93, with resumes attached.)	Councilmember Ron Roberts

Adoption of a Resolution making three appointments: two appointment terms ending January 2, 1997; and one nominee to fill the unexpired term of Lynn Schenk, who

has resigned, for a term ending January 2, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C160-E246.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Graves-1,2,3,4,5,6,7,8,M; Francis-1,2,3,4,6; Lew-3,4,5,6,7,8,M; McDade-1,2,5,7,8,M.

MOTION BY ROBERTS TO ADOPT APPOINTING CLIFF GRAVES AND SUSAN LEW TO FULL TERMS ENDING JANUARY 2, 1997 AND MIKE McDADE TO FILL THE UNEXPIRED TERM OF LYNN SCHENK, WHO HAS RESIGNED, FOR A TERM ENDING JANUARY 2, 1995. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

(Continued from the meeting of February 8, 1993, Item 107, at Councilmember Behr's request, for further review.)

Two actions relative to Pomerado Water Reclamation Plant:  
(See City Manager Report CMR-93-25.)  
(Sabre Springs, Miramar Ranch North, University City Community Areas. Districts-1 and 5.)

Subitem-A: (R-93-1165 Rev.) ADOPTED AS AMENDED AS  
RESOLUTION R-281512

Declaring that the site selected for the Pomerado Water Reclamation Plant is: Incorporating Pomerado area flows at the North City Water Reclamation Plant (NCWRP).

Subitem-B: (R-93-1166 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-281513

Certifying that Environmental Impact Report DEP-92-0391 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the report reflects the independent judgment of the City of San Diego as Lead Agency; and that the information contained in the report has been reviewed and considered by the Council

in connection with the siting of the Pomerado Water  
Reclamation Plant.  
WU-CWP-93-083.

FILE LOCATION: WATER - Pomerado Water Reclamation  
Plant

COUNCIL ACTION: (Tape location: F268-G028.)

MOTION BY BEHR TO ADOPT, CONSISTENT WITH THE CITY MANAGER'S REPORT, AS AMENDED TO: 1) SELECT AN ENVIRONMENTALLY AND TECHNICALLY PREFERRED ALTERNATIVE INCORPORATING THE POMERADO AREA FLOWS THAT WOULD HAVE BEEN TREATED HERE, BUT HAVE THEM TREATED AT THE NORTH CITY WATER RECLAMATION PLANT (NCWRP). IN EFFECT THIS HAS ALREADY BEEN DONE IN PLACE OF SELECTING AN INDEPENDENT SITE IN THE POMERADO AREA. 2) GO FORWARD WITH THE CERTIFICATION OF THE EIR, GIVING CONCEPTUAL APPROVAL FOR THE TREATMENT CAPACITY BUT NOT FOR THIS SITE. ATTACH AN ERRATA SHEET TO THE EIR NOTING THAT THE STATEMENTS THAT THE PUMP STATION WILL BE LOCATED AT THE DECOMMISSIONED POMERADO SITE (THE ONE IN SABRE SPRINGS) IS IN ERROR. THE DECISION HAS NOT BEEN MADE AS TO WHERE THE PUMP STATION WILL BE LOCATED. 3) DIRECT THE CITY MANAGER TO COME UP WITH A PROGRAM IN RELATIONSHIP TO THIS DECOMMISSIONED SITE IN THE SABRE SPRINGS AREA. THE PROGRAM, WORKING WITH THE CITY ATTORNEY'S OFFICE, IS TO MAKE SURE THAT THIS ENVIRONMENTALLY SENSITIVE AREA IN THE PENASQUITOS CANYON IS PRESERVED. POWAY OWNS THE SITE AND NOW USES IT AS A HOLDING STATION. DETERMINE HOW THIS SITE CAN BE MADE PERMANENT OPEN SPACE AND HOW IT CAN BE CLEANED UP, AND RETURN TO COUNCIL WITH THIS PROGRAM. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: (R-93-1143) ADOPTED AS RESOLUTION R-281514

(Continued from the meeting of February 8, 1993, Item 120, at Councilmember Behr's request, on behalf of Councilmember McCarty, to allow her to be present.) Approving the Memorandum of Agreement with the cities of Santee and Poway and the County of San Diego to coordinate habitat planning as part of the Central County Wildlife Forum.  
(Districts-1, 5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: Staff from the cities of Poway and Santee approached the County and City of San Diego to request a formal process for coordination of resource planning.

This is a request for the City to enter into a Memorandum of Agreement (MOA) with the cities of Poway and Santee and with the County of San Diego to coordinate planning activities related to natural habitat preservation and open space. The City Councils of Poway and Santee and the County's Board of Supervisors have approved this agreement. The Central County Wildlife Forum was formed to address the need to coordinate habitat planning among central county jurisdictions. Most of the proposed Central County Wildlife Forum area is included in the Clean Water Program's Multiple Species Conservation Program (MSCP) area (See map attached to MOA). The Coordination called for in the agreement is the same that is occurring as a result of the previously budgeted Multiple Services Conservation Program. The MOA is consistent with the City's Enrollment Agreement pursuant to the State's Natural Communities Conservation Program (NCCP). The City is also coordinating its resource planning activities with three other local programs: The North County Wildlife Forum conducted by SANDAG and the North County cities (also known as the Multiple Habitat Conservation Program), the County's Wildlife Habitat Conservation and Open Space Program, and Carlsbad's Habitat Management Plan.

FILE LOCATION: MEET CONFY93-3

COUNCIL ACTION: (Tape location: A560-B070.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: (O-93-110) ADOPTED AS ORDINANCE O-17896 (New Series)

Adoption of an Ordinance authorizing the execution of a second amendment to the agreement of July 23, 1990 with the San Diego Unified School District, for construction, maintenance and lease of turfed field and recreation facilities at Adams Elementary School; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$8,000 from Mid-City Park Development Fund No. 39094 to CIP-29-710.0, Adams Avenue Park - Development; authorizing the expenditure of not to exceed \$8,000 from CIP-29-710.0, Adams Avenue Park - Development, for the purpose of providing funds for the above project. (Mid-City Community Area. District-3. Introduced on 2/1/93. Council voted 8-0. District-8 vacant.)



CITY MANAGER SUPPORTING INFORMATION: On July 23, 1990, the City Council approved an agreement with the San Diego Unified School District for the construction, operation, maintenance and lease of turf fields and recreation facilities at the Adams Elementary School site. On September 9, 1991 a first amendment to the agreement was approved to provide additional funds to complete the project's undergrounding of electrical utilities and to provide for an art element to be completed with the park development. The Adams Joint Use Park's Final Acceptance and Notice of Completion were filed on September 15, 1992. Due to additional consultant design and coordination efforts associated with the art element and the utilities undergrounding, additional consultant fees in the amount of \$8,000 are required to compensate the consultant. Mid-City Park Development funds have been identified and are recommended for use in supplementing this project.

Aud. Cert. 9300623.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: A560-B070.)

Hearing began at 2:52 p.m. and halted at 2:53 p.m.

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: CONTINUED TO MARCH 2, 1993

Matters relative to the Fiscal Year 1994 Budget:

Subitem-A:

Discussion in the matter of the Fiscal Year 1994 City Council Budget Workshop to include: 1) the Fiscal Year 1993 revenue status; 2) Mayor and City Council policy direction for the Fiscal Year 1994 Budget.

Subitem-B:

Discussion in the matter of funding additional police officers and related public safety needs.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C150-160.)

MOTION BY ROBERTS TO CONTINUE TO MARCH 2, 1993 AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

Two actions relative to the Special Election in Council District Eight:

Subitem-A: (R-93-1326) ADOPTED AS RESOLUTION R-281516

Declaring the results of the Special Election held in Council District 8 on Tuesday, February 16, 1993.

Subitem-B: ADMINISTERED

Administering the oath of office to Juan Vargas, elected as the Councilmember for District 8.

CITY CLERK SUPPORTING INFORMATION: A Special Election was held February 16, 1993 for the purpose of electing a candidate to fill the vacancy in the office of Councilmember for Council District 8.

The results of this election has been certified by the Registrar of Voters and the City Clerk and is now being certified to the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A203-344.)

MOTION BY STEVENS TO ADOPT SUBITEM-A AND APPROVE SUBITEM-B. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S401: (R-93-1327) ADOPTED AS RESOLUTION R-281517

Adoption of a Resolution adjourning the Council meeting of February 22, 1993 in memory of Bill Cleator, who

will always be remembered warmly in the hearts of his family, friends and peers, for his many fine qualities, his sense of humor which will be sorely missed, and his unwavering dedication to his work.

SUPPORTING INFORMATION: Bill Cleator will be remembered and held in the highest esteem by the citizens of San Diego for the many contributions he made throughout his lifetime. Bill Cleator diligently worked to improve Collier Community East Park recently renamed in his honor, "Bill Cleator Park." Bill Cleator was instrumental in improving our tourism industry by promoting cruise ship stops at our port. Bill Cleator worked to make sure the America's Cup races returned to San Diego where they belonged. Bill Cleator was always interested in the welfare of San Diegans. Bill Cleator will be remembered for his "eat Tuna" campaign to retain jobs, to promote health, and to keep the tuna industry alive and well in San Diego. Bill Cleator will be in the memory of his many colleagues as a doer, and as someone involved in many chairmanships, memberships, and committees promoting worthwhile causes throughout his lifetime. Bill Cleator will probably be best remembered for that cool February day, when England's Queen Elizabeth visited our hospitable city and Deputy Mayor Bill Cleator as a guide for the Queen gave her a gentlemanly "pat on the back" saying "this way your majesty" causing an "international incident." Bill Cleator leaves behind his devoted wife Marilyn, two lovely daughters, Molly and Melissa, and his son Bill, Jr. We will always remember his many fine qualities, his sense of humor which will be sorely missed, and his unwavering dedication to his work. Bill Cleator will always be remembered warmly in the hearts of his family, friends and peers.

Because of the many contributions Bill Cleator made throughout his lifetime, I urge your support for this resolution adjourning this Council meeting in Bill Cleator's memory.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: G029-066.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

Mayor Golding adjourned the meeting in honor of the  
memory of Bill Cleator at 6:17 p.m.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: G071).